

STATE BUDGET AND CONTROL BOARD
MEETING OF May 15, 2007

BLUE AGENDA
ITEM NUMBER 4

AGENCY: General Services Division

SUBJECT: Easement

The General Services Division requests approval of the following easement in accordance with SC Code of Laws:

| | |
|----------------------|---|
| County Location: | Aiken |
| From: | Budget and Control Board |
| To: | Three Rivers Solid Waste Authority |
| Consideration: | \$700.00 |
| Description/Purpose: | To grant a .02 acre easement for the installation, operation and maintenance of a 12" gas pipeline across Hollow Creek to transport landfill gas from the Three Rivers Landfill to the Kimberly Clark Facility in Beech Island. |

BOARD ACTION REQUESTED:

Approve the referenced easement.

ATTACHMENTS:

Agenda item worksheet; SC Code of Laws Sections 1-11-80, 1-11-90 and 1-11-100; Budget and Control Board Easement Policy


BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: May 15, 2007

Blue Agenda

1. Submitted by:

- (a) Agency: General Services Division
- (b) Authorized Official Signature:


M. Richbourg Roberson, Director

2. Subject: EASEMENT

3. Summary Background Information:

The General Services Division requests approval of the following easement in accordance with SC Code of Laws:

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4. What is Board asked to do? Approve the referenced easement.

5. What is recommendation of Board Division involved? Recommend approval of the referenced easement.

6. List of Supporting Documents:

- (a) SC Code of Laws Sections 1-11-80, 1-11-90 and 1-11-100
- (b) Budget and Control Board Easement Policy

SECTION 1-11-80. Board authorized to grant easements for public utilities on vacant State lands.

The State Budget and Control Board is authorized to grant easements and rights of way to any person for construction and maintenance of power lines, pipe lines, water and sewer lines and railroad facilities over, on or under such vacant lands or marshland as are owned by the State, upon payment of the reasonable value thereof.

SECTION 1-11-90. Board authorized to grant rights of way over State marshlands for roads or power or pipe lines to State agencies or political subdivisions.

The State Budget and Control Board may grant to agencies or political subdivisions of the State, without compensation, rights of way through and over such marshlands as are owned by the State for the construction and maintenance of roads, streets and highways or power or pipe lines, if, in the judgment of the Budget and Control Board, the interests of the State will not be adversely affected thereby.

SECTION 1-11-100. Execution of instruments conveying rights of way or easements over marshlands or vacant lands.

Deeds or other instruments conveying such rights of way or easements over such marshlands or vacant lands as are owned by the State shall be executed by the Governor in the name of the State, when authorized by resolution of the Budget and Control Board, duly recorded in the minutes and records of such Board and when duly approved by the office of the Attorney General; deeds or other instruments conveying such easements over property in the name of or under the control of State agencies, institutions, commissions or other bodies shall be executed by the majority of the governing body thereof, shall name both the State of South Carolina and the institution, agency, commission or governing body as grantors, and shall show the written approval of the majority of the members of the State Budget and Control Board.

STATE OF SOUTH CAROLINA
State Budget and Control Board
GENERAL SERVICES DIVISION

MARK SANFORD, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

RICHARD ECKSTROM
COMPTROLLER GENERAL



HUGH K. LEATHERMAN, SR.
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT W. HARRELL, JR.
CHAIRMAN, WAYS AND MEANS COMMITTEE

FRANK W. FUSCO
EXECUTIVE DIRECTOR

JOSEPH O. ROGERS III
DIRECTOR

REAL PROPERTY SERVICES
1201 MAIN STREET, SUITE 410
COLUMBIA, SOUTH CAROLINA 29201

ALTON T. LOFTIS
MANAGER

MEMORANDUM

To: Agency Contacts
From: Bruce Taylor, Division of General Services

Subject: Budget and Control Board Easement Policy

Date: February 5, 2004

At its meeting of December 9, 2003, the Budget and Control Board adopted a revised Policy concerning the granting of easements over State lands and navigable waterways under the purview of the Budget and Control Board. The revised Policy is as follows:

- (a) A charge of \$500 and \$200 per acre for each easement granted by the Budget and Control Board across navigable waterways and submerged lands.
- (b) For those easements over state-owned real property under the purview of the Budget and Control Board, \$500 will be charged in addition to the fair market value of the easement area as determined by the General Services Division.
- (c) Political subdivisions will also be charged in the same manner as any other applicant for any easement granted by the Budget and Control Board, regardless of the location.
- (d) Easements will be granted for a fifty-year duration with renewal at the State's discretion for an appropriate additional charge.
- (e) Agencies which grant easements for which the Budget and Control Board concurs and acquiesces should determine their easement consideration in a manner that is consistent with the Policy of the Board.

If you have any questions, please call me at (803) 737-0003.